

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JAIME LOREE ARMIJO, on behalf of  
herself and all others similarly situated,**

Plaintiff,

v.

**No: 1:17-cv-00440-RB-KK**

**FEDEX GROUND PACKAGE SYSTEM, INC.,  
a foreign company,**

Defendant.

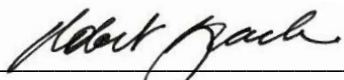
**FINAL ORDER**

Having granted Defendant's Motion for Summary Judgment (Doc. 102), filed January 21, 2019, by Memorandum Opinion and Order entered contemporaneously with this Final Order,

**IT IS ORDERED** that:

(1) The provisions of the New Mexico Minimum Wage Act (MWA), N.M. Stat. Ann. § 50-4-20 *et seq.*, do not apply to Plaintiff because she was compensated on a piecework basis, and the MWA's definition of covered "employees" specifically excludes those "compensated upon piecework, flat rate schedules or commission basis . . . ." *See* § 50-4-21(C)(5);

(2) The Court thus enters summary judgment in favor of Defendant as to Plaintiff's sole remaining claim for violation of the overtime provisions contained in § 50-4-22 of the MWA, and dismisses that claim with prejudice.

  
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**ROBERT C. BRACK**  
**SENIOR U.S. DISTRICT JUDGE**